

OFFICE OF THE STANDING CHAPTER 13 TRUSTEE
6851 N.E. Loop 820, Suite 300
North Richland Hills, TX 76180-6608
(817) 770-8500
FAX (817) 770-8508

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:	§	CASE NUMBER: 23-42765-ELM
MONTY WADE MOORE	§	CHAPTER 13
	§	
DEBTOR,	§	JUDGE EDWARD L MORRIS
	§	
	§	COURT HEARING: Thursday, December 5, 2024 at 8:30 AM

**MOTION TO DISMISS WITH CERTIFICATION OF SERVICE AND NOTICE OF HEARING THEREON
(2023 IRS RETURN)**

Now comes Tim Truman, Standing Chapter 13 Trustee and files this motion pursuant to Section 1307 (c) of the Bankruptcy Code and Bankruptcy Rule 9014, and would respectfully show unto the Court as follows: This case should be **DISMISSED** for the following cause(s):

Debtor has failed to deliver to the Trustee a copy of their 2023 tax return as required by Section 521 (f)(1) of the Bankruptcy Code, and Debtor has failed to cooperate with the Trustee as necessary to enable the Trustee to perform the Trustee's duties under Title 11 Section 1302(b) as required by Section 521(a)(3).

WHEREFORE, your Trustee prays that after notice and hearing, this Chapter 13 case be **DISMISSED**.

Respectfully submitted,

/s/ Tim Truman

Tim Truman, Standing Chapter 13 Trustee
State Bar No. 20258000
6851 N.E. Loop 820, Suite 300
North Richland Hills, TX 76180-6608
(817) 770-8500

NOTICE OF HEARING TO THE DEBTOR AND DEBTOR'S ATTORNEY OF RECORD:

You are hereby notified of the filing of the foregoing Trustee's Motion to Dismiss and Notice of Hearing. Any written objection or response to the proposed Motion timely filed with the Court and not resolved will be heard by the Court at **8:30 AM**, on **December 05, 2024**, in **Room 204, U.S. Courthouse, 501 W. 10th St., Fort Worth, Texas** or by WebEx at <https://us-courts.webex.com/meet/Morris>, Meeting ID: 2309 445 3213 (for Telephone Dial-In 1-650-479-3207)..

THE DEADLINE FOR FILING AN OBJECTION TO THE MOTION TO DISMISS IS ON OR BEFORE Nov 25, 2024. YOU DO NOT HAVE TO ATTEND THE COURT HEARING UNLESS YOU OPPOSE DISMISSAL OF THE CASE. ALL PLAN PAYMENTS DUE PRIOR TO THE HEARING MUST BE PAID CURRENT BY THE HEARING IN ORDER FOR THE TRUSTEE TO WITHDRAW THIS MOTION TO DISMISS.

23-42765-ELM

MONTY WADE MOORE

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Trustee's "Motion to Dismiss with Certificate of Service and Notice of Hearing Thereon" was served on the parties listed below in the manner listed below on or before November 01 , 2024.

BY FIRST CLASS MAIL:

MONTY WADE MOORE, 313 OLDE KNOLL PL, RIO VISTA, TX 76093-0000

BY ELECTRONIC SERVICE:

MARK B FRENCH, 1901 CENTRAL DR STE 704, BEDFORD, TX 76021

JACK O BOYLE & ASSOCIATES, PO BOX 815369, DALLAS, TX 75381

AIS PORTFOLIO SERVICES, 4515 N SANTA FE AVE DEPT APS, OKLAHOMA CITY, OK 73118

PERDUE BRANDON FIELDER COLLINS AND MOTT, 500 E BORDER ST #640, ARLINGTON, TX 76010

ALBERTELLI LAW, PO BOX 23028, TAMPA, FL 33623

ALDRIDGE PITE, 3333 CAMINO DEL RIO S #225, SAN DIEGO, CA 92108

United States Trustee, 1100 COMMERCE STREET, ROOM 976, DALLAS, TX 75242

/s/ Tim Truman

Tim Truman, Trustee/State Bar No. 20258000

Debtor may provide a copy of their 2023 tax return using one of the following methods:

Preferred: Deliver to your attorney for upload to the portal 'bkdocs'

alternatively, if you are not able to get the return to your attorney then send

by Email to: trumantaxreturns@ch13ftw.com

or by Fax to: (817) 770-8518

or by Mail to: Office of the Standing Chapter 13 Trustee

6851 N.E. Loop 820, Suite 300

North Richland Hills, TX 76180-6608

Please ensure that you black out or redact complete social security numbers on all pages and for all persons and all bank account information for direct deposit of refund amounts on the RETURN and Schedules . This information is not needed by the Trustee to process your RETURN. Please write your case number [23-42765-ELM] on the top of page one of the RETURN. Please do not send JPEG or camera photos of your return .